

**PCT** 

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## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference	WYON G. F. B. DOT/DEA/A16							
PC-21002330	FOR FURTHER ACTION See Form PCT/IPEA/416							
International application No. International filing date	e (day/month/year) Priority date (day/month/year)							
PCT/SE 2003/000722 06.05.2003	19.07.2002							
International Patent Classification (IPC) or national classification								
A61C 8/00, A61F 2/02, A61L 27/06								
7,010 0,00, 11011 1,00, 11111								
Applicant								
Astra Tech AB et al								
<ol> <li>This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</li> </ol>								
2. This REPORT consists of a total of 3 sheet	ets, including this cover sheet.							
3. This report is also accompanied by ANNEXES, comprising	ng:							
a (sent to the applicant and to the International								
sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).								
cheets which supersede earlier sheets	but which this Authority considers contain an amendment that goes							
beyond the disclosure in the international Supplemental Box.	onal application as filed, as indicated in item 4 of Box No. I and the							
	l of (indicate type and number of electronic carrier(s))							
b. (sent to the International Bureau only) a total	ning a sequence listing and/or tables related thereto, in computer							
readable form only, as indicated in the Suppl Administrative Instructions).	emental Box Relating to Sequence Listing (see Section 802 of the							
4. This report contains indications relating to the following	items:							
Box No. I Basis of the report								
Box No. II Priority								
Box No. III Non-establishment of opinion	with regard to novelty, inventive step and industrial applicability							
Box No. IV Lack of unity of invention								
Box No. V Reasoned statement under Art	icle 35(2) with regard to novelty, inventive step or industrial planations supporting such statement							
Box No. VI Certain documents cited								
1 1	<b>└</b>							
Box No. VIII Certain observations on the in								
Date of submission of the demand	Date of completion of this report							
16.02.2004	06.05.2004							
Name and mailing address of the IPEA/SE	Authorized officer							
Patent- och registreringsverket								
Box 5055 S-102 42 STOCKHOLM	Jack Hedlund/Els							
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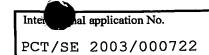
Form PCT/IPEA/409 (cover sheet) (January 2004)



Internal application No.
PCT/SE 2003/000722

Box	No. I	Basis of the report	_			
1.	With 1	egard to the language, this report is based on the international application in the language in which it was filed, unless indicated under this item.	ess			
	This report is based on a translation from the original language into the following language which is the language of a translation furnished for the purposes of:					
		international search (under Rules 12.3 and 23.1(b))				
		publication of the international application (under Rule 12.4)				
		international preliminary examination (under Rules 55.2 and/or 55.3)				
2.	2. With regard to the elements of the international application, this report is based on (replacement sheets which has furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally and are not annexed to this report):					
	$\boxtimes$	the international application as originally filed/furnished				
		the description:	.			
		pages as originally filed/furnished				
		pages* received by this Authority on received by this Authority on	-			
		pagos	- 1			
	Ш	the claims:  as originally filed/furnished	d			
		pages as amended (together with any statement) under Article				
		pages* received by this Authority on				
		pages* received by this Authority on	-			
		the drawings:				
		pages as originally filed/furnishe	xd bx			
		pages* received by this Authority on	-			
		pages* received by this Authority on				
		a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.				
3.		The amendments have resulted in the cancellation of:				
		the description, pages				
		the claims, Nos.				
		the drawings, sheets/figs				
1		the sequence listing (specify):				
		any table(s) related to the sequence listing (specify):				
4.		This report has been established as if (some of) the amendments annexed to this report and listed below had not made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (70.2(c)).	been (Rule			
		the description, pages				
		the claims, Nos.				
		the drawings, sheets/figs				
		the sequence listing (specify):				
		any table(s) related to the sequence listing (specify):				
	If it	m 4 applies, some or all of those sheets may be marked "superseded."				





Box No. V		Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement				
1.	Statement					
	Novel	ty (N)	Claims Claims	1-20	YES NO	
	Invent	tive step (IS)	Claims Claims	1-20	YES NO	
	Indust	trial applicability (IA)	Claims Claims	1-20	YES NO	

2. Citations and explanations (Rule 70.7)

Cited documents:

- 1. WO 9517217 A1 (ASTRA AKTIEBOLAG)
- 2. WO 9616611 A1 (IMPLANT INNOVATIONS, INC.)

The documents cited in the International Search Report represent background art.

The invention defined in claims 1-20 is not disclosed by any of these documents.

None of the cited documents gives any indication towards the claimed implant and method for treating an implant surface. No relevant combination of the cited documents would lead a person skilled in the art to the invention defined in the claims.

Therefore, the invention defined in claims 1-20 is novel and is considered to involve an inventive step. It is also considered to be industrially applicable.